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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/539,327	06/15/2005	Hubertus Cornelis Maria Van Den Nieuwenhuizen	NL 021361	9279

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

RALEIGH, DONALD L

ART UNIT	PAPER NUMBER
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2809

MAIL DATE	DELIVERY MODE
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09/19/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/539,327

Applicant(s)

VAN DEN NIEUWENHUIZEN ET AL.

Examiner

Donald L. Raleigh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 07/24/2007.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morris (US Patent No. 5,323,091) in view of Steinmann (US Patent No. 6,570,328)

Reference Claim 1:

Morris teaches:

A high-pressure discharge lamp (abstract lines 1-2 metal halide discharge lamp. Also, Col.1 line 8 says metal halide is high pressure) having a quartz glass discharge vessel (Fig. 1 (14) and Col. 3, lines 6-7) enclosing a discharge space (Fig. 1 shows electrodes (18) in space) with an ionizable filling (Col. 1, lines 8-10) , wherein a first electrode and a second electrode (Fig. 1 shows 2 electrodes (18) .(Col.3, lines 8-9) are present between which a discharge is maintained during lamp operation (Col. 1, lines 18-21) , wherein a first seal (Fig. 2, (42) and Col. 3, lines 31-32) incorporates a first internal electric conductor (Fig. 2, foil (44)) which connects the first electrode (18 in Fig. 1, not shown in Fig. 2) to a first external electric conductor (Fig. 1 (26) shows lead extending to exterior) extending from the seal into the exterior (Also,

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Fig. 2 shows lead (unlabeled) extending from foil (44) to exterior), wherein said first seal (42) further incorporates a gas-filled cavity (Fig. 2 (50) and Col. 3, lines 31-33 and 36) , wherein the internal electric conductor is a foil (Fig.2, (44) which extends through the cavity (Col. 3, lines 31-33),

Morris fails to teach:

Characterized in that the foil (44) is provided with at least one hole.

Steinmann teaches a metal strip (foil)(Col. 1, lines 31-33) with holes in it.

It would have been obvious to one of ordinary skill in the art to apply the teachings of Steinmann to Morris and provide a metal strip with holes because this reduces high tensile forces between the strip and the glass during manufacture (Steinmann Col.1, lines 29-35)

Reference Claim 2:

Morris teaches:

Characterized in that the cavity is at least partially surrounded by an external capacitive body.

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(Col. 3, lines 17-21 discusses capacitive coupling in Fig.1)

Reference Claim 3:

Morris teaches:

Characterized in that said foil (Fig. 2 (44)) is made of molybdenum (Col. 3, lines 28-29)

Reference Claim 4:

Morris teaches:

A method for producing a high-pressure discharge lamp (abstract lines 1-2) wherein a quartz glass discharge vessel (Col.3, lines 6-7) enclosing a discharge space (Fig. 1, is filled with an ionizable filling (Col.1, lines 8-10), wherein a first electrode and a second electrode (Fig. 1 (18)) are placed such that a discharge can be maintained during lamp operation (Fig. 1 and Col.1, lines 18-21), wherein a first seal(Fig.2, (42) and Col. 3, lines 31-32)) is provided with a first internal electric conductor being a foil (Fig.2 (44)) which connects the first electrode to a first external electric

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conductor extending from the seal into the exterior (Fig.1 shows electrode (18) connecting to foil (20) which connects to lead (26) and extends to exterior), wherein said first seal (Fig.2 (42)) is further provided with a gas-filled cavity (Fig.2 (50)) through which the foil extends (Col.3, lines 31-33),

Morris fails to teach: and wherein the foil is provided with at least one hole.

Steinmann teaches a metal strip (foil) with holes (Col.1, lines 31-33)

It would have been obvious to one of ordinary skill in the art to apply the teachings of Steinmann to Morris and provide holes in the foil because this reduces stress between the foil and the glass during manufacture (Steinmann, Col. 1, lines 29-35)

Reference Claim 5:

Morris fails to teach: Characterized in that the hole is provided by punching the foil with a needle.

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Steinmann teaches (Col.1, lines 61-63 creating holes by punching) which would include some type of needle.

It would have been obvious to one of ordinary skill in the art to apply the teachings of Steinmann to Morris and punch the holes with a needle since punching with a needle will produce a hole.

Conclusion

Examiner's note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donald L. Raleigh whose telephone number is 571-270-3407. The examiner can normally be reached on Monday-Friday 7:30AM to 5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Nguyen can be reached on 571-272-2402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DLR


KIMBERLY D. NGUYEN
PRIMARY EXAMINER